

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs and Relator,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

11 Civ. 0071 (PGG)

UNITED STATES OF AMERICA,

Plaintiff,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

DECLARATION OF JEANNETTE VARGAS

I, Jeannette Vargas, pursuant to the provisions of 28 U.S.C. § 1746, declare, under penalty of perjury, as follows:

1. I am an Assistant United States Attorney in the office of Geoffrey S. Berman, United States Attorney for the Southern District of New York, attorney for Plaintiff United States of America (the “Government”). I am an attorney assigned to this matter, and am familiar with the proceedings herein. I am an attorney assigned to this matter, and am familiar with the proceedings herein. I submit this declaration in support of the Government’s Motions in Limine.

1. Attached hereto as Exhibit A is a true and correct copy of excerpts from the transcript of the deposition of Suad Ismail, dated November 29, 2016.

2. Attached hereto as Exhibit B is a true and correct copy of excerpts from the transcript of the deposition of Seth Ivins, dated October 28, 2016.

3. Attached hereto as Exhibit C is a true and correct copy of excerpts from the transcript of the deposition of Dr. Ramon Mendez, dated December 7, 2016.

4. Attached hereto as Exhibit D is a true and correct copy of the Expert Report of Daniel McFadden, dated August 14, 2017.

5. Attached hereto as Exhibit E is a true and correct copy of the Eric M. Gaier Expert Report, dated December 11, 2017.

6. Attached hereto as Exhibit F is a true and correct copy of the Rebuttal Report of Daniel McFadden, dated February 7, 2018.

7. Attached hereto as Exhibit G is a true and correct copy of excerpts from the transcript of the deposition of Anne Duvall, dated October 25, 2016.

8. Attached hereto as Exhibit H is a true and correct copy of excerpts from the transcript of the deposition of Richard Cassoff, dated September 7, 2016.

9. Attached hereto as Exhibit I is a true and correct copy of excerpts from the transcript of the deposition of Michael Contreras, dated September 23, 2016.

10. Attached hereto as Exhibit J is a true and correct copy of the Second Supplemental Disclosures of Defendant Novartis Pharmaceuticals Corporation, dated March 4, 2019.

11. Attached hereto as Exhibit K is a true and correct copy of the Third Supplemental Disclosures of Defendant Novartis Pharmaceuticals Corporation, dated March 25, 2019.

12. Attached hereto as Exhibit L is a true and correct copy of the 2010 Settlement Agreement between the United States and Novartis Pharmaceuticals Corporation.

13. Attached hereto as Exhibit M is a true and correct copy of the Government's Objections and Responses to Defendant's First Set of Interrogatories, dated December 8, 2014.

14. Attached hereto as Exhibit N is a true and correct copy of a letter from the Government to Novartis Pharmaceuticals Corporation, dated November 27, 2015.

15. Attached hereto as Exhibit O is a true and correct copy of the Government's Second Supplemental Objections and Responses to Defendant's First and Second Sets of Interrogatories, dated December 5, 2017.

16. Attached hereto as Exhibit P is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV_LIT003250851

17. Attached hereto as Exhibit Q is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV_LIT000202193

18. Attached hereto as Exhibit R is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV_LIT000203831

19. Attached hereto as Exhibit S is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV_LIT000215324

20. Attached hereto as Exhibit T is a true and correct copy of excerpts from the transcript of the deposition of Julie Kane, dated October 18, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 8, 2019

/s/ Jeannette Vargas
Jeannette Vargas